

Atty Docket No.: 2345/218

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Frank BINDEL et al.  
 International Application No. : PCT/DE2004/000179  
 International Filing Date : February 4, 2004  
 U.S. Serial No. : 10/542,102  
 For : **ADMINISTRATOR FOR AUTOMATICALLY  
 ADAPTING A TRANSMISSION CHANNEL**

Mail Stop PCT  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**RESPONSE TO MISSING REQUIREMENTS  
 UNDER 35 U.S.C. 371**

S I R :

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed February 17, 2006, applicants submit herewith a fully executed Declaration and Power of Attorney, in order to complete the filing requirements for the U.S. national phase of the above-identified PCT application. A copy of the Notification of Missing Requirements is also enclosed.

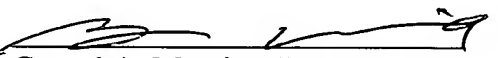
The Office is authorized to charge the \$130.00 fee to cover the surcharge for late filing of the Declaration to Deposit Account No. 11-0600.

The Office is also hereby authorized to charge Deposit Account No. 11-0600 with any additional fees required by this paper or credit any overpayment. An additional copy of this letter is enclosed for this purpose.

04/17/2006 10:00:00 00000139 110500 10342102  
 01 1031017 130.00 00

Respectfully submitted,  
 KENYON & KENYON LLP

Date: 4/11/06

  
 Gerard A. Messina, Reg. No. 35,952  
 One Broadway  
 New York, NY 10004  
 Tel: (212) 425-7200  
 Fax: (212) 425-5288  
**CUSTOMER NO. 26646**



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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|                             |                       |                  |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/542,102                  | Frank Bindel          | 2345/218         |

|                               |               |
|-------------------------------|---------------|
| INTERNATIONAL APPLICATION NO. |               |
| PCT/DE04/00179                |               |
| I.A. FILING DATE              | PRIORITY DATE |
| 02/04/2004                    | 02/17/2003    |

26646  
 KENYON & KENYON LLP  
 ONE BROADWAY  
 NEW YORK, NY 10004

CONFIRMATION NO. 1105

## 371 FORMALITIES LETTER

\*OC000000018058168\*

Date Mailed: 02/17/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/11/2005
- English Translation of the IA filed on 07/11/2005
- Copy of the International Search Report filed on 07/11/2005
- Preliminary Amendments filed on 07/11/2005
- Information Disclosure Statements filed on 07/11/2005
- Request for Immediate Examination filed on 07/11/2005
- U.S. Basic National Fees filed on 07/11/2005
- Substitute Specification filed on 07/11/2005
- Priority Documents filed on 07/11/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

• \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

JOHN L ANDERSON

Telephone: (703) 308-9140 EXT 211

**PART 1 - ATTORNEY/APPLICANT COPY**

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/542,102                  | PCT/DE04/00179                | 2345/218         |

FORM PCT/DO/EO/905 (371 Formalities Notice)